



WQN/SLR:tm 12/28/04 4239-58051-01

PATENT

Attorney Reference No. 4239-58051-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Miele et al.

Application No. 09/806,440

Filed: March 30, 2001

Confirmation No. 1318

For: APOPTOSIS INDUCING AGENTS AND METHODS

Examiner: Janet L. Epps-Ford, Ph.D.

Art Unit: 1635

Attorney Reference No. 4239-58051-01

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP AF, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Attorney

for Applicant(s)

Date Mailed December 29, 2004

MAIL STOP AF
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

NOTICE OF APPEAL FROM THE EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicants hereby appeal to the Board from the decision of Examiner Janet L. Epps-Ford, Ph.D. mailed July 1, 2004, finally rejecting claims 1, 2, 5, 8-13, 16-18, 22, 23, 30-32, 72-75, and 83-87.

The fee \$500.00 per 37 C.F.R. § 1.17(b) for filing this Notice of Appeal is enclosed.

The fee of \$1,020.00 for a three-month extension of time is enclosed.

Applicants petition for a three-month extension of time. If an additional extension of time is required please consider this a petition therefor.

Please charge any additional fees that may be required in connection with filing this Notice of Appeal and any extension of time, or credit any overpayment, to Deposit Account No. 02-4550. A copy of this Notice of Appeal is enclosed.

01/04/2005 MAHME1 00000068 09806440

01 FC:1401 500.00 OP
02 FC:1253 1020.00 OP

Respectfully submitted,

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